



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,548	02/23/2000	Yoshifumi Maitani	FUJIP0108US	6152

7590 02/22/2005

Neil A. DUChez
Renner Otto Boisselle & Sklar P L L
1621 Euclid Avenue
19th Floor
Cleveland, OH 44115

EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT PAPER NUMBER

2622

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/511,548	MAITANI ET AL.	
	Examiner	Art Unit	
	Houshang Safaipoor	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 15, 2004 has been entered.

Response to Arguments

The following is the response to applicant's arguments.

Applicant argues that the cited reference (Webb et al.), does not describe a white area, in the moving document type, analogous to the target portion 45 in the non-moving document type environment. Examiner disagrees. For the moving document type Webb et al. introduces a reflection target area 146 that is "located at one or **both ends**" of the platen (col. 15, lines 1-9).

Applicant further argues that Webb et al. does not suggest a configuration in which a readout section reads subsequent moving documents as well as the reflected light of the second white board without rereading the first standard white board. Examiner disagrees. Please refer to col. 15, lines 10-31 and also col. 8 lines 10-24. The array portion 149 in col. 15, line 19 corresponds to array portion 49 in col. 8, line 18.

For the reasons stated, examiner maintains his rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Webb et al. (U.S. Patent No. 5,278,674).

Regarding claim 1, Webb et al. discloses an image reader having a document moving mode in which an original document carried through a document passing area on an original table is read by a read out section, characterized in that:

the readout section comprises a light source for irradiating light to the document (fig. 8, col. 14, line 66 through col. 15, line 31);

a first standard white board being longer than the length of said document passing area with respect to the main scanning direction is provided outside the document passing area (col. 15, lines 1-31);

a second standard white board is provided in an external region of an end portion of the document passing area with respect to the main scanning direction (col. 15, lines 1-31);

a control section that controls the readout section in such a way that, in the document moving mode, the readout section reads the first standard white board prior to the initiation of the document read to thereby perform the shading correction (col. 8, lines 51 through col. 9, line 2), and after the document read has been initiated, said read out section reads the moving

Art Unit: 2622

document as well as the reflected light of the second standard white board, so as to correct the quantity of irradiation light of the light source, based on a difference between a first data of quantity of light of the first standard white board and a second data of quantity of light of the second standard white board (fig. 7, col. 13, line 57 through col. 15, line 31), and reads subsequent moving documents as well as the reflected light of the second white board without rereading the first standard white board so as to continue to correct the quantity of irradiation light with respect to the subsequent moving documents (please refer to the response to the argument above).

Regarding claim 2, Webb et al. discloses an image reader having both of a document fixing mode in which a read out section moves to an original document put in a document putting area on an original table and a document moving mode in which an original document carried through a document passing area on an original table is read by the read out section, characterized in that:

the readout section comprises a light source for irradiating light to the document; a first standard white board being longer than the length of said document passing area with respect to the main scanning direction is provided outside the document passing area; a second standard white board is provided in an external region of an end portion of the document passing area with respect to the main scanning direction; a control section that controls the readout section in such a way that, in the document moving mode, the readout section reads the first standard white board prior to the initiation of the document read to thereby perform the shading correction, and after the document read has been initiated, said read out section reads the moving document as well as the reflected light of the second standard white board, so as to correct the

Art Unit: 2622

quantity of irradiation light of the light source, based on a difference between a first data of quantity of light of the first standard white board and a second data of quantity of light of the second standard white board (fig. 7, col. 13, line 57 through col. 15, line 31), and reads subsequent moving documents as well as the reflected light of the second white board without rereading the first standard white board so as to continue to correct the quantity of irradiation light with respect to the subsequent moving documents (please refer to the response to the argument above).

Regarding claim 3, Webb et al. discloses an image reader having a second standard white board in an external region of an end portion of the document (the arguments stated for claim 1 are also applicable to this claim limitation).

Regarding claims 5 and 6, arguments analogous to those presented for claims 1 & 2 are applicable to claims 5 and 6.


Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Houshang Safaipoor
Patent Examiner
Art Unit 2622
February 15, 2005


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER